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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 19597 of 2004

Between:

G Ramaiah, (E.No. 750034), S/o. Venkaiah,
Unduru, Samalkot Mandal, E.G.District.

..... PETITIONER

AND

1 The APSRTC, rep. by its Regional Manager, APSRTC,
Visakhapatnam, Visakhapatnam District.
2 The Divisional Manager, APSRTC, Visakhapatnam,

Visakhapatnam District.
3 The Depot Manager, APSRTC, Visakhapatnam Depot,

Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate Writ, Order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not considering the representation of the petitioner herein dated.27.11.2001 and 24.11.2003 for re-fixation of his pay and payment of arrears as illegal, arbitrary and contrary to law and consequently direct the 1st respondent to consider and dispose of the said representations of the Petitioner while directing the respondents to re-fix the pay of the petitioner and pay with all consequential benefits including the arrears of pay forthwith; and pass such other or further orders in the interest of justice.

Counsel for the Petitioner: MR.CHALLARI NAGESWARA RAO

Counsel for the Respondents: KUM.B.G.UMA DEVI

The Court made the following :

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ORAL ORDER

The petitioner while working as a driver in the respondent-A.P.S.R.T.C. caused an accident on 16-09-1990. He was issued a show cause notice proposing punishment. He questioned the said show cause notice through the Writ Petition No.19306 of 1999 and the writ petition was dismissed on 07-06-2001 giving liberty to the petitioner to approach the appropriate forum against the final order-cum-show-cause notice dated 31-10-1992. Subsequently, the petitioner made applications to the first respondent on 27-11-2001 and 24-11-2003, but, the first respondent so far did not pass any order by treating it as an appeal. The petitioner, therefore, approached this Court seeking a direction to the first respondent to pass appropriate orders on the representations made by him regarding the revocation of punishment of stoppage of two increments imposed on him with cumulative effect and to fix his pay by directing payment of arrears.

In the light of the submissions made by the petitioner, the first respondent is directed to pass appropriate orders on the representation of the petitioner dated 27-11-2001 and 24-11-2003 within two (2) months from the date of receipt of a copy of this Order, as per rules in force by giving personal hearing to the petitioner.

The Writ Petition is accordingly disposed of. No order as to costs.

_____ Dr.G.YETHIRAJULU, J.

Dated: 27th October, 2004.

*TSNR

To

1. The Regional Manager, APSRTC,
   Visakhapatnam, Visakhapatnam District.
2 . The Divisional Manager, APSRTC, Visakhapatnam,

Visakhapatnam District.
3 . The Depot Manager, APSRTC, Visakhapatnam Depot,

Visakhapatnam District.

4. Two C.D.Copies